

# MONEY FOR MINSTRELS

Steamship Company Is Mulcted Heavily.

## HOGAN WINS HIS SUIT

Jury Renders Verdict for Two Thousand Two Hundred and Fifty Dollars.

(From Wednesday's Daily.)

"All rooms do not look alike today." There are twenty-nine negroes in Honolulu to whom life seems a perpetual lull. They are the members of the Hogan Minstrel Company.

Last night a jury in Judge Davis' court rendered a verdict for \$2,250 damages in favor of Ernest Hogan, the head of the company, against the Canadian-Australian Royal Mail Steamship Company. Hogan's case was a



MINSTREL HOGAN, THE "RAGTIME" ARTIST.

sample of twenty-eight others which were brought some weeks ago against the steamship company for its refusal to transport the minstrels to Vancouver on the Miowera.

The case is familiar to Honoluluans. The minstrels went from Vancouver to Australia on a vessel of the Canadian-Australian line. On their way back to Vancouver they stopped off here, intending to resume their journey in a few weeks. Quarantine intervened, and when they finally applied for passage on the Miowera they were denied.

The Minstrels, by their attorneys, Kinney, Hallou & McClanahan, at once instituted a suit. They alleged they had been discriminated against. They said that the Miowera's captain and purser, though refusing them, had taken eight white passengers on the trip. They asked for damages in the sum of \$20,000 each, or an aggregate of \$568,000.

The hearing of the case was deferred until last Saturday, when the Miowera was again in port. Then the captain and the purser of the vessel testified. The evidence seemed to show that the minstrels being negroes had been the cause of their not being given accommodations. Arguments on both sides were lengthy and vigorous.

Judge Davis was occupied all of yesterday in hearing the case. During the forenoon Hogan, Dante and others of the troupe were placed on the stand. The attorneys for the plaintiffs announced before noon that they were through with their side of the case.

Mr. Robertson, one of the counsel for the defendant company, began his argument, continuing until about 2 o'clock, followed by Mr. McClanahan who finished his case for the Hogonites shortly after 3 o'clock. Judge Davis then allowed a recess to be taken until 4:30 in order to give everybody an opportunity to see the Australia off. The jurymen were carefully instructed as to the manner of spending their recess and were given explicit warnings not to converse with any one, or among themselves in regard to the case in question. A glad smile spread from face to face of the weary ones in the jury box and they were soon speeding for the Australia wharf.

At the end of the time specified, the Court session was resumed, and Judge Davis read his charge to the jury, and also gave them the instructions requested of him by counsel for both sides. Judge Davis read the charge in a forcible manner, showing a desire to impress upon his hearers the importance of the matter which he assigned to their keeping. The charge was as follows:

"This is an action on the case brought by the plaintiff against the defendant corporation as common carriers for an alleged wrongful refusal of the defendant to accept and carry the plaintiff as a passenger for hire on the steamship Miowera from Honolulu to Victoria, British Columbia, and other ports. The plaintiff established that the defendant corporation was, on the 12th day of May, 1900, engaged in the business of transporting passengers and freight for hire upon steamships operated by said corporation. The defendant is therefore a common carrier, and I so instruct you.

As a common carrier it is a legal duty of the defendant corporation to accept and carry the plaintiff as a passenger.

The burden of proof is on the plaintiff to establish that a wrongful refusal was made by the defendant corporation to accept and carry the plaintiff as a passenger. The plaintiff has established that the defendant corporation was, on the 12th day of May, 1900, engaged in the business of transporting passengers and freight for hire upon steamships operated by said corporation. The defendant is therefore a common carrier, and I so instruct you.

The character, attitude, motive and reliability of the witnesses who have given testimony in this case are matters for your consideration and exclusively for you to determine, and are made so by legislative enactment.

The fact that defendant is a corporation should not influence you in arriving at a conclusion in this case favorable to the plaintiff. This is to say that a corporation has the same rights and is subject to the same liabilities as an individual, and should be so treated by you in the consideration and determination of this case.

If nine of you agree you may return a verdict under the statute law now in force in these islands. I charge and instruct you that the defendant corporation as common carriers, and no right to refuse to accept and receive an intended passenger on board their steamship on account of race or color, plaintiff was entitled to the same consideration by the defendant corporation as any white man who might apply for a passage on the steamship, and if you should come to the conclusion that plaintiff complied with all reasonable regulations, and did what he was bound to do, and that defendant corporation had the convenience and accommodation for him, and that the true reason for the refusal of the defendant to accept plaintiff as a passenger was on account of his race or color, such refusal is not justified by law.

If the defendant complied with the regulations of the Board of Health, and the fact that the steamship would be quarantined at Victoria or Vancouver, B. C., would not relieve the defendant as common carriers to accept and receive the plaintiff as a passenger, if they had accommodation and convenience, and the plaintiff presented himself in a fit and proper state to be received, and was willing to pay his passage money.

At ten minutes to 5 o'clock the jury retired, and the spectators composed themselves for a long wait. The wait was a long one, and the time dragged on until after 6 o'clock, when Judge Davis began to show signs of uneasiness. The spectators' attorneys and the members of the minstrel troupe took the same uneasy view of the situation. Finally the Judge gave vent to his thoughts:

"Gentlemen, I'm hungry and intend to go home for supper. I've put in a long day's work. If the jury does not put in an appearance within five minutes I will instruct the bailiff to inform the jury that I will be back again at 7:30, and have them locked in the jury room until that time."

"Well, Judge," said one of the attorneys, "how about supper for the jury?"

"No, I don't believe they should be supplied with supper. No, let them stay where until they arrive at a verdict, and I keep them locked up."

It was pointed out to the Judge that the jury would probably get hungry, and it was the usual custom to send them their meals, to which the Judge finally acquiesced.

At nine o'clock exactly the jury was announced ready to render its verdict. The jurors were brought in by the bailiff and ranged themselves in a row before Judge Davis in the Supreme Court room. L. C. Ables, foreman, handed the Judge the written verdict, which was as follows:

"We, the jury in the above entitled cause (Hogan vs. Canadian-Australian Company), find for the plaintiff in the sum of \$2,250. Three dissenting: L. C. Ables, Foreman."

It was explained that the jury was unanimous in rendering a verdict in favor of Ernest Hogan, but were at variance in rendering their verdict upon the sum to be allowed him.

Mr. Robertson, counsel for the defendant company, at once entered an exception against the verdict on statutory grounds.

Mr. Lyman, one of the jurors, desired to ask a question of the Judge before the jury was discharged, but counsel for the plaintiff interposed and the matter was dropped. The jurors, when discharged, quickly left the building, they having been in the jury room for a little over four hours.

Mr. Ballou drove post haste to the Orpheum, and seeking the star performer of the Minstrels on the stage, told him the glad news. Hogan smiled as he never smiled before, and those within earshot of the two sped away to the dressing rooms to carry the glad tidings. From the front the audience noticed at once an improvement in the general aspect of the performers, and the news was not long in finding its way through the theater.

From living on pork chops and expectations, the members of the company will probably again resort to "T-bone" and porterhouse steaks. When the minstrels failed to secure transportation the Orpheum management generously determined to keep them at its expense until their suit had been heard. They arranged for engagement had expired some weeks before, but various bills were hurriedly made up, and since then the minstrels have held a regular part of the nightly performance. The negroes confidently expected a verdict, but had hoped for even a larger amount. Still they expressed themselves as satisfied, and the younger members of the company are already planning what they will do with their capital. Being of tender age, many of them, they have not yet amassed a fortune, and \$2,250 looks like a Klondike.

After the show last night most of the places of hospitality in Honolulu were filled with minstrels and their admirers. They developed a very large following immediately after the verdict became known—and merriment reigned supreme.

# ARLINGTON HAS TO GO

Hotel Building Will Be Razed.

## NEW STRUCTURE PLANNED

Alexander Young and Bishop Estate Have Agreed as to Certain Improvements.

Anent the sale of the homestead of Dr. McGrew on Hotel street, as given in yesterday's Advertiser, Mr. Dodge of

# FAMOUS OLD HOMESTEAD WHERE MANY DISTINGUISHED TRAVELERS HAVE KNOWN DOCTOR MCGREW'S HOSPITALITY IN DAYS THAT ARE PAST

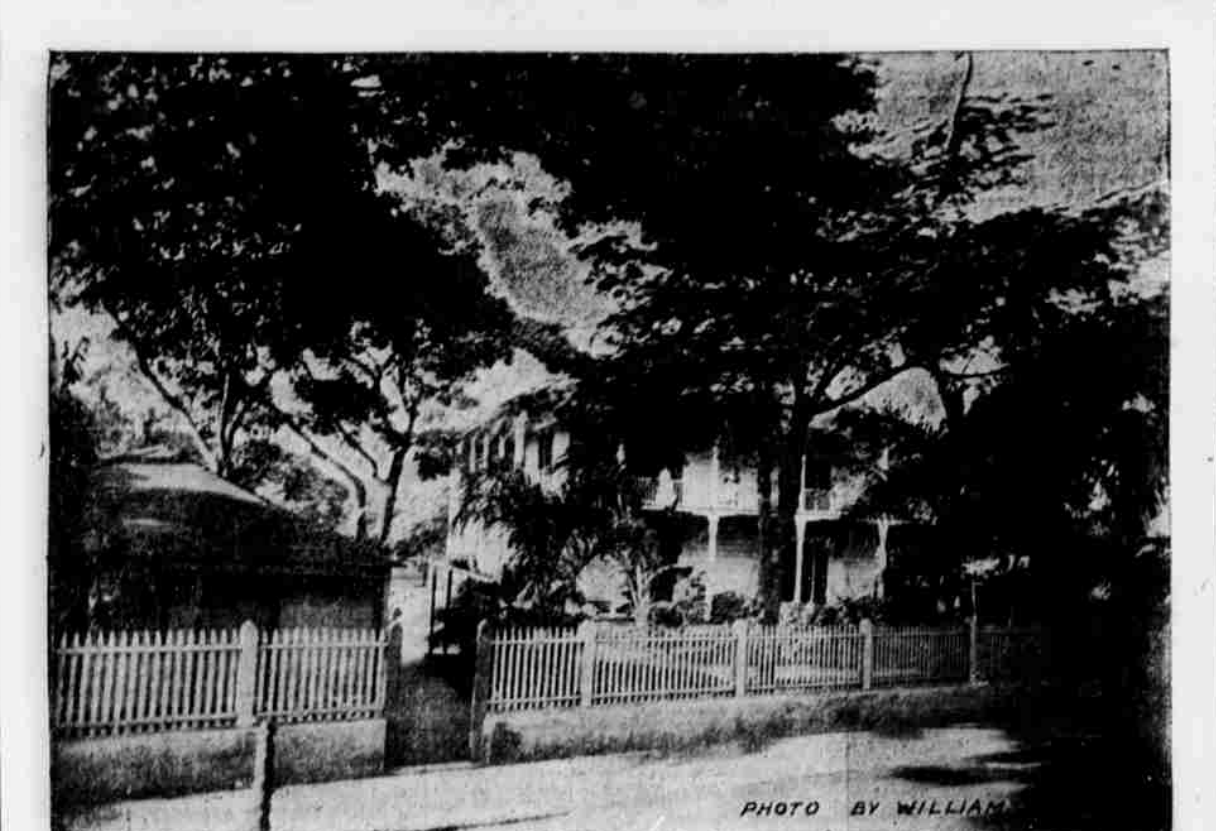


PHOTO BY WILLIAM

The Bishop Estate says that in the McGrew premises there were 1.37 acres while the land transferred by the Bishop Estate was 61.5x114 feet in extent. The new proposed street is to be sixty feet wide, exactly, with ten-foot sidewalks. The street will come into King street at right angles. The Hotel street line does not run exactly parallel with that of King street, but widens materially as it nears Alakea street. This gives Mr. Young's side of the street more frontage than that retained by the Bishop Estate, the former having 458 feet and the latter 440 feet.

But in the opening up of the new street Mr. Young donates only 12,000 square feet, while the Bishop Estate turns into the public thoroughfare 14,400 square feet, and both parties have agreed to open and complete the street within twelve months, with the sewer system extended along it, concrete sidewalks and every improvement desired in a growing and orderly city. This new street will be exactly midway between Port and Alakea streets.

The new business block which Mr. Young proposes to erect will undoubtedly be the handsomest and largest in Honolulu when completed. Some idea of its magnitude can be gained when it is known that it will cover both the Hotel street frontage and that on the new street from Hotel to King street.

It will be four stories in height, of steel construction with brick and terra cotta finishings. While on the mainland during his present trip, Mr. Young will have plans and specifications drawn for the new block, and it may not be many months before the real work of raising such buildings as now stand on the property is begun and the excavation work commenced.

On the opposite side of the new street the Bishop Estate have in contemplation the erection of four fifty-foot front stores extending from Hotel street almost down to the site of the Arlington Hotel. The latter is to be vacated within three months and important improvements made on the property. The hotel will eventually be torn down, and in its place will be reared a fine building. The Arlington Hotel people are considering the proposition to build a hotel on the north corner of King street and the new street, with large stores on the ground floor, the remainder of the premises to be devoted at a later date.

The cutting of the new street through the block in question also develops the fact that it will assist materially in getting a street cut through the block directly below it, or from King to Merchant street. From Merchant to Queen street a third street will be opened up to connect with Edinburgh street. This means a great relief to the congestion of traffic on Port street.

Around the old McGrew mansion linger memories of social gaiety in the past which are reminiscent of the visits of the war vessels of every nation which have called here during the last thirty-three years. In fact, the old mansion was Navy headquarters and many of the latest receptions ever given in Honolulu in honor of distinguished men

"Bismarck," with Bismarck at the masthead. To the famous Admiral of the Japanese Navy, was rendered a reception which in point of numbers was about the largest given by the host and hostess. French, British, American, German and Russian naval officers carried away with them members of the British hospitality, and gave both Dr. and Mrs. McGrew an enviable name and fame abroad.

Dr. McGrew states with pride that the house was at one time the only American house in the islands, not to speak of it being the finest. When bought by the Doctor from its original owner, thirty-three years ago, it was occupied by General McCook, one of the "Fighting McCooks" so prominent during the War of the Rebellion from '61 to '65. A short time ago news reached Honolulu that General McCook, old and penniless, had been sent to the Yountville Soldiers' Home of California, to pass the rest of his days as a ward of the nation. He was in Honolulu a very short time and soon after the purchase of the house General McCook left for the United States.

There are furniture and curios in the of every clime were given there. The spacious lawns were ideal for the purpose, and Dr. and Mrs. McGrew became famous for their hospitality.

Lord and Lady Brassey, the noted travelers who visited Honolulu in the

# ROOKE DECISION IS FAR REACHING

Queen's Hospital and Many Private Persons Lose Annuities by Court's Judgment.

The result of the lawsuit of Captain Rooke against the Queen's Hospital is far reaching in its effects, and many private annuities and revenues are summarily cut off by the recent decision. The Queen's Hospital loses a large share of its annual revenue. The decision is sweeping in character, and all other suits which have hinged on the one just ended, will be withdrawn from Court.

Queen Emma's annuities which have been drawn by a large number of Hawaiians are cut off, among them being that of Prince Albert Kuniakia who received about \$2,000 a year, as a residuary legatee under her will. Among the others are Lucy Peabody, \$900 per annum; Mary Liwal, \$300 per annum; Grace Kahooli (now Mrs. P. Annals), \$300 per annum; and St. Ann's.

There are many more annuities which have been cut off, and the list is long.

# CHANGE IN TARIFF

SIXTY DAYS AFTER the Hawaiian Territorial bill is passed the duty on European China and Crockeryware will be from 55 to 60 per cent higher—55 per cent on White and 60 per cent on Decorated.

THE PRESENT DUTY is 10 per cent on either.

NOW IS YOUR TIME to purchase what you want in this line before prices are advanced.

STERLING SILVER from the factories of Reed & Barton and Whiting Mfg. Co.

WE WILL have a special sale for the next thirty days, commencing April 25th.

THE REDUCTION will be 33 1-3 per cent. Our assortment is very complete.

PLATEDWARE will be also sold at special reduced prices.

RICH CUT GLASS, for the next thirty days at a 25 per cent reduction.

ALL OF OUR GOODS are marked in plain figures and the old prices remain with the new.

# W. W. DIMOND & CO., LIMITED

IMPORTERS OF

Crockery, Glass, Lamps, House Furnishing Goods.

"FOR THE BLOOD IS THE LIFE."

# Clarke's Blood Mixture

THE WORLD-FAMED BLOOD PURIFIER AND RESTORE. IS WARRANTED TO CLEAR THE BLOOD FROM ALL IMPURITIES from whatever cause arising. For Scrofula, Scurvy, Eczema, Skin and Blood Diseases, Blackheads, Pimples and Sore of all kinds, it is a never failing and permanent cure. It cures Old Sores, Cures Sore of the Neck, Cures Sore Legs, Cures Blackhead or Pimples on the Face, Cures Scurvy, Cures Ulcers, Cures Blood and Skin Diseases, Cures Clotting of the Blood, Clears the Blood from all impure matter. From whatever cause arising. It is a real specific for Gout and Rheumatic pains. It removes the cause from the Blood and Bones. As this mixture is pleasant to the taste, and warranted free from anything injurious to the most delicate constitution of either sex, the proprietors solicit sufferers to give it a trial to test its value.

THOUSANDS OF TESTIMONIALS OF WONDERFUL CURES FROM ALL PARTS OF THE WORLD.

Clarke's Blood Mixture is sold in bottles, 25 and 50 each, and in cases containing six times the quantity, sufficient to effect a permanent cure in the great majority of long-standing cases. By ALL CHEMISTS and PATENT MEDICINE VENDORS throughout the world. Proprietors, THE LINCOLN AND MIDLAND COUNTIES DRUG COMPANY, Lincoln, England. Trade mark—"BLOOD MIXTURE."

CAUTION.—Purchasers of Clarke's Blood Mixture should see that they get the genuine article. Worthless imitations and substitutes are sometimes passed off by unprincipled vendors. The words, "Lincoln and Midland Counties Drug Company, Lincoln, England," are engraved on the Government stamp, and "Clarke's World Famed Blood Mixture" blown in the bottle, WITHOUT WHICH NONE ARE GENUINE.

# Castle & Cooke, Ltd. HONOLULU.

Commission Merchants.

SUGAR FACTORS.

—AGENTS FOR—

The Ewa Plantation Co., The Waiwala Agricultural Co., Ltd., The Kohala Sugar Co., The Waima Sugar Mill Co., The Koloa Agricultural Co., The Fulton Iron Works, St. Louis, Mo., The Standard Oil Co., The George F. Blake Steam Pumps, Weston's Centrifugals, The New England Mutual Life Insurance Co. of Boston, The Aetna Fire Insurance Co. of Hartford, Conn., The Alliance Assurance Co. of London.

McGrew homestead which have become almost priceless in their owner's estimation. There is one suite of heavy oak furniture which was once the property of no less a personage than Louis XVIII., who was King of France from 1814 to 1824. The symbol of the crown was formerly upon the furniture, and just before Dr. McGrew purchased it the suite was repaired and the crown was scratched off. Curious, mostly from the Orient, adorn the house and are greatly admired. Henceforth Dr. McGrew will endeavor to limit his practice as much as possible, as he intends to retire. His property interests will occupy him.

# ITCHING PILES.

From the Melbourne Age.

Ever have any irritation of the skin? There are many forms of it, any of them had enough to tax your patience. Hemorrhoid, a plague of the night; no rest for the sufferer from that complaint. Eczema, too; gives don't sound dangerous, but they cause much misery to the unfortunate enough to be troubled with them. Doan's Ointment "A wonder" for any such trouble. Any troublesome irritation of the skin can't resist its healing, soothing influence. Lots of Honolulu people know this now.

Mr. H. Ryall, of No. 11, Grosvenor St., South Yarra, is a very old resident of Melbourne. He states:

"For some considerable time I have been a sufferer from that annoying complaint known as irritating piles. At times the irritation was very annoying, especially at night, and in the warm weather, I applied some of Doan's Ointment which I had obtained and I am pleased to say that it gave me the desired relief from this annoying disease."

Doan's Ointment is splendid in all diseases of the skin: Eczema, piles, hives, insect bites, sores, chilblains, etc. It is perfectly safe and very effective. Very frequently two or three boxes have made a complete cure of chronic cases that have not yielded to other remedies for years. Doan's Ointment is sold by all chemists and storekeepers at 50 cents per box, or will be mailed on receipt of price by the Hollister Drug Co., Ltd., agents for the Hawaiian Islands.

# Ten Thousand a Month.

The Minister of the Interior was authorized yesterday to draw from the appropriation for "Roads and Bridges in Honolulu" at the rate of \$10,000 a month. Minister Young's leaving yesterday on the Australia creates the necessity of his work being cared for by someone else. It is understood that Minister Damon will accept the portfolio in addition to his other duties. Minister Young will return in a few weeks but will hardly take office again after the Territorial Bill goes into effect as his private business presses him hard.

drew's Priory, \$600 per annum, for scholarships to Hawaiian girls. The Bishop Estate has discontinued the cases against the following persons affected by the decision: David Dayton, Mrs. Kathrin Singer, E. M. Carter, J. O. Young and Mrs. Mary M. Seabury. There is understood to be no claim anticipated for back rents from the lands.

The property most valuable is situated in the heart of the city. The old "French Hotel Premises," are at the corner of Hotel and Union streets, the property being occupied by the present stores of Hart & Company, King & Co., and stands for a considerable distance up Union street. The Queen Emma premises, comprise the large corner at Beretania and Nuuanu streets.

# BOND DEALS.

Hilo Railroad Six Per Cents and Government Securities.

H. Waterhouse & Co. yesterday effected the sale of \$200,000 worth of Hilo Railroad Company's 6 per cent bonds at par, one hundred and seventy thousand dollars' worth were sold to the Robinson Estate, while thirty thousand dollars' worth were retained by the sellers. To bring about this deal it was necessary to sell one hundred and seventy thousand dollars' worth of Hawaiian Government 6 per cent bonds purchased by the Bank of Hawaii.

In this way cash is obtained from outside for Hawaiian bonds with the belief that the United States Government will pay them, and this cash goes immediately into enterprises of a local nature.

# Judge Wilder Resigns.

The resignation of Gardner K. Wilder as Judge of the Third and Fourth Judicial Circuits, has been accepted by President Doie. His successor has not yet been appointed but is already selected, it is understood. The circuits vacated by the resignation of Judge Wilder, embrace the Island of Hawaii. Judge Wilder is in poor health and sails for San Francisco from Hilo on the Roderick Dhu.

# Token for Canavarro.

Mr. Goncalves is making arrangements for the presentation of a token to Portuguese Consul Canavarro, as a testimonial of the high esteem in which the Consul is held by the Portuguese colony. A telegram was forwarded by the Australia yesterday to the Foreign office at Lisbon, expressing the indignation of the Portuguese colony at the recent fiendish attempt of some anarchist against their consul.

# AN ANCIENT BELIEF.

The ancients believed that rheumatism was the work of a demon within a man. Any one who has had an attack of sciatic or inflammatory rheumatism will agree that the infliction is demonic enough to warrant the belief. It has never been claimed that Chamberlain's Pain Balm would cast out demons, but it will cure rheumatism, and hundreds bear testimony to the truth of this statement. One application relieves the pain, and this quick relief which it affords is alone worth many times its cost. For sale by all druggists and dealers. Benson, Smith & Co., Ltd., agents for H. I.